

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD KEMPER and BRANDY
GILLMORE,

Plaintiffs,

v.

SIERRA TOWING, GARY GONZALES, and
LMD KIEFER WAREHOUSE LLC,

Defendants.

Case No. CIV.S-05-0158 MCE DAD

**ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL DATE
AND AMEND FINAL PRETRIAL
ORDER**

Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 25, 2005
Trial Date: July 16, 2007

Having read the foregoing Stipulated Motion to Continue Trial Date and Amend
Final Pretrial Order, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT the Trial Date be continued to **October 15,
2007 at 1:30 p.m.**

IT IS FURTHER ORDERED THAT the Final Pretrial Order be amended as
follows:

V. Motions In Limine

Filed by **September 24, 2007**. Oppositions filed by **October 1,
2007**. Replies by **October 8, 2007**. Motions to be heard on
October 15, 2007 at 9:00 a.m.

VI. Trial Briefs

Filed by **October 8, 2007**.

VIII. Exhibits – Schedules and Summaries

Exhibits exchanged by **October 1, 2007**. Originals and copies to
Court clerk no later than **3:00 p.m. on October 8, 2007**. Difficulties

with exhibit presentation to be brought to clerk's attention no later than **October 5, 2007**.

IX. Discovery Documents

B. Use of Depositions

File and exchange deposition excerpts by **October 8, 2007**.

C. Interrogatories

File and exchange excerpts to Answers to Interrogatories by **October 8, 2007**.

XI. Agreed Statements – Joint Statement of Case

Agreed statement to be provided to Court by **October 8, 2007**.

XII. Proposed Jury Instructions, Voir Dire, Verdict Form

A. Jury Instructions

Joint set of jury instructions to be lodged with the Court by **October 8, 2007**.

Party opposed to contested instructions shall brief in support of same by **October 15, 2007**.

B. Verdict Form

Joint verdict form(s) with proposed set of jury instructions to be lodged with the Court by **October 8, 2007**.

Disagreements with verdict form(s) shall be set forth in a supporting memorandum and filed by **October 15, 2007**.

C. Voir Dire

Joint set of voir dire questions lodges with the Court by **October 8, 2007**. Disputed voir dire questions to be lodged with the Court by **October 8, 2007**.

XIII. Audio/Visual Equipment

Reservations for A/V equipment to be made in writing to the Courtroom Deputy by **October 5, 2007**.

1 XIV. Daubert/Kumho Procedure

2 Daubert/Kumho motions to be filed by **September 24, 2007**.
3 Oppositions to be filed by **October 1, 2007**. Replies due by
4 **October 8, 2007**. Motions to be heard on **October 15, 2007** at **9:00**
5 **a.m.**

6 XV. Date and Length of Trial

7 Jury trial scheduled for **October 15, 2007** at **1:30 p.m.** Counsel to
8 call Courtroom Deputy by **October 8, 2007** to ascertain status of
9 trial date.

10 **IT IS SO ORDERED.**

11 Dated: June 21, 2007

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13 MORRISON C. ENGLAND, JR.
14 UNITED STATES DISTRICT JUDGE
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